

the request for a recreation area or open space dedication or reservation within its corridor. Failure of the RR company to respond shall be deemed approval. The county is authorized to rely on the applicant's submission, and is held harmless.

#### **ISSUE: BUILDING PERMITS FOR CONSTRUCTION IN A RAIL CORRIDOR**

**Section 12** of the draft amends **G.S. 153A-357, Permits**, to require, if a RR company has filed RR corridor maps pursuant to Section 9 of the bill, an applicant to notify a RR prior to the issuance of building, plumbing, electrical, and HVAC permits for activity in a RR corridor. The RR would have 60 days from receipt of notice of the permit application to approve, deny with an explanation, or respond with its requirements. Failure of the RR company to respond shall be deemed approval. The county is authorized to rely on the applicant's submission, and is held harmless. The RR is designated as an aggrieved party for the purpose of appealing permitting decisions inconsistent with its ownership rights. This section would not apply to the issuance of permits for repair of existing building and mechanical systems.

#### **ISSUE: DEFINITIONS**

**Section 13** of the draft amends **Chapter 160A of the General Statutes, Cities and Towns**, to provide a definition of "Railroad corridor".

#### **ISSUE: NEW ROADS CROSSING RAIL CORRIDORS**

**Section 14** of the draft amends **G.S. 160A-296, Establishment and control of streets; center and edge lines**, to provide that, if a RR company has filed RR corridor maps pursuant to Section 9 of the bill, municipalities shall not establish or accept for dedication any new street, sidewalk, alley, bridge or crossing within a RR corridor unless the applicant first obtains written consent of the RR. The RR would have 60 days to approve, deny with an explanation, or respond with its requirements to the request for a new crossing. Failure of the RR company to respond shall be deemed approval. The city is authorized to rely on the applicant's submission, and is held harmless.

#### **ISSUE: ACCESS TO DEVELOPMENT THROUGH A RAIL CORRIDOR**

**Section 15** of the draft creates new **G.S. 160A-368, Access to development within a State-owned railroad corridor**, providing that, if a RR company has filed RR corridor maps pursuant to Section 9 of the bill, a municipality shall not approve any development plan where the only access is in a RR rail corridor unless the applicant first obtains written approval from the RR. The RR would have 60 days to approve, deny with an explanation, or respond with its requirements to the request for access through its corridor. Failure of the RR company to respond shall be deemed approval. The city is authorized to rely on the applicant's submission, and is held harmless.